

Order -07
30/04/2021

(5)

1. Petitioners present through attorney and counsel.

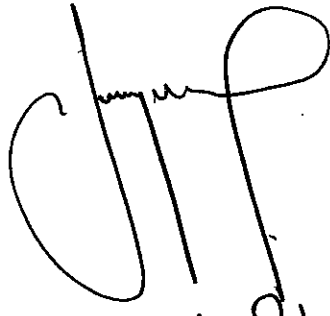
Counsel for petitioner submitted an application for early hearing. Request seems genuine. Hence, accepted and case file requisitioned ^{for} today. Evidence of petitioners present and recorded as PW-1 to PW-3.

Arguments heard and record perused.

2. Through publication in daily newspaper "Ausaf" dated; 2nd April, 2021 general public was asked to submit objections, if any, however, no one appeared before the court, so ex-parte proceedings were conducted.

3. Petitioner No. 01. Noor Ali Shah (Son), 02. Muhammad Shah (Son) 03. Zabit Ullah (Son) 04. Jamina Bibi (Daughter) 05. Jumia Khela (Daughter) 06. Faizula Bibi (Daughter) 07. Zarka Mina (Daughter) 08. Khojmina (Daughter) 09. Khazia Bibi (Daughter) 10. Shazima (Daughter) and 11. Locha Gula (Widow) filed the instant application. Noor Ali Shah (attorney) recorded his statement as PW-1, Jahanzeb as PW-2 and Abdul Ghamin as PW-3 testified respectively. PW-1 submitted his power of attorney as Ex.PW-1/1, his CNIC as Ex.PW-1/2, Death certificate of deceased as Ex.PW-1/3 and legal heirs certificate as Ex.PW-1/4. All the exhibited documents, publication and report of process server etc. are placed on file. Contents of the petition were reproduced and verified by the witnesses.

4. As, there is nothing in rebuttal, so therefore contention of the petitioners is believed to be correct. Therefore, the petitioners will inherit the legacy of deceased as per following shares;


30.4.21
FARMANULLAH
Senior Civil Judge
Orakzai at Babar Khela

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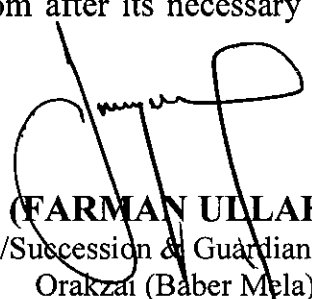
S. No	Name of petitioner legal heirs	Major/minor	Relation with deceased	Share Percentage
1	Locha Gula	Major	Widow	12.51%
2	Noor Ali Shah	Major	Son	13.46%
3	Muhammad Shah	Major	Son	13.46%
4	Zabit Ullah	Major	Son	13.46%
5	Jasmina Bibi	Major	Daughter	6.73%
6	Jumia Khela	Major	Daughter	6.73%
7	Faisula Bibi	Major	Daughter	6.73%
8	Zarka Mina	Major	Daughter	6.73%
9	Khojmina	Major	Daughter	6.73%
10	Khazia Bibi	Minor	Daughter	6.73%
11	Shazima	Minor	Daughter	6.73%

The share of minors at S. No 10 and 11 shall be deposited to the official account of Senior Civil Judge if any.

5. As, there is no other legal heir of deceased and considering the request of the petitioners being genuine this application is allowed along with accrued profit and Succession Certificate is issued in favour of petitioners, subject to surety bond/undertaking to the tune of Rs. 1000,000 with 02 local sureties each in the like amount to the satisfaction of this court. If any legal heir/objector appear in future, the petitioners and the sureties will be responsible for the payment. Parties are left to bear their own cost. Original succession certificate be given to the petitioner subject to surety bonds while copy of the certificate be placed on file.

6. File be consigned to the Record Room after its necessary completion and compilation.

Announced
30/04/2021


(FARMAN ULLAH)
SCJ/Succession & Guardian Judge,
Orakzai (Baber Mela)

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela.